

Appl. No. 10/623,125
Arndt, dated December 19, 2005
Reply to Office Action of September 19, 2005

PATENT

REMARKS/ARGUMENTS

This is in response to the Office Action Summary mailed September 19, 2005.

Applicant previously elected Group I, corresponding to claims 1-3, and 6 in response to a Restriction Requirement dated June 28, 2004. Applicant also previously canceled claims 4-5 in the response to the Restriction Requirement.

In the Office Action, the Examiner restricted the claims into seven species:

Species I: Figs. 13-14 and the figure on the top right corner of the page 2 of the drawings which does not have a number. The Examiner contends that this Figure is the only Figure that shows the adapter 1300, which is shown in detail in Figs. 13-14;

Species II: Figs. 2A;

Species III: Figs. 2B;

Species IV: Fig. 2C;

Species V: Fig. 2D;

Species VI: Fig. 6; and

Species VII: Figs. 7-12.

Election of Species III

Applicant elects Species III, with traverse, corresponding to claims 1, 11, and new claims 18-20. Applicant cancels claims 2-3, 6-10, and 12-17. Applicant also adds new dependent claims 18-20. The Examiner contends that no claim is generic. Applicant respectfully disagrees.

Claim 1 is believed to be generic. In particular, claim 1 recites a die press system including "a die adapted to be located in a cutting area of a consumer press with a cutting height smaller than the cutting height of the commercial die press." Claim 1 further includes "an adapter having a thickness or height that is generally approximately equal to the difference between the height of a commercial die and the height of the die." These claimed elements are generic to Figures 2B, 2C, 2D, as well as the non-numbered figure on page 2 of the drawings. Each of the figures shows a die in combination with an adapter.

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Applicant believes that the number of species is not unreasonable in light of the need to search the prior art for the scope of generic claim 1. Thus, Applicant respectfully requests reconsideration and withdrawal of the species restriction.

Discussion of New Claims

Applicant adds new claims 18-20 directed to the elected species. Support for the new claims can be found generally, at Figure 2B and the description of dies at paragraph [0034] in the Specification..

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



Raymond B. Hom
Reg. No. 44,773

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415-576-0300
RBH:jo
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